

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MICHAEL GLEISSNER

Plaintiff,

- against -

Civil Action No.: 1:16-cv-8287-JPO

TURK HAVA YOLLARI ANONIM
ORTAKLIGI,

Defendant.

**DECLARATION OF CENK OCAL
IN SUPPORT OF THY'S MOTION FOR SUMMARY JUDGMENT**

I, Cenk Ocal, being duly sworn, deposes and says:

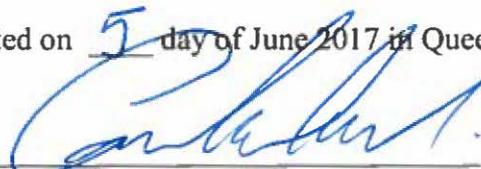
1. I am a General Manager for Turk Hava Yollari ("THY") and am located in THY's office in Queens, New York.
2. I have knowledge of the statements set forth herein based upon my personal knowledge and, among other things, a review of THY's relevant business records.
3. THY is a corporation organized and existing under the laws of the Republic of Turkey. It has its principal place of business in Istanbul, Turkey.
4. According to THY's records, Plaintiff had a reservation to travel from Catania, Italy (CTA) to Hong Kong (HKG), with an agreed stop in Istanbul, Turkey (IST) on August 28, 2016 ("Initial Reservation").
5. According to THY's records, Plaintiff made another reservation to travel from Catania, Italy (CTA) to Hong Kong (HKG), with an agreed stop in Istanbul, Turkey (IST) on September 1, 2016 ("Subsequent Reservation").
6. Plaintiff's Initial Reservation was not cancelled by or on behalf of Plaintiff and Plaintiff was listed as a "no show" for his Initial Reservation.
7. As a result, Plaintiff's Subsequent Reservation was cancelled in accordance with THY's Conditions of Carriage. Attached as **Exhibit A** is a true and correct copy of relevant

portions of THY's General Conditions of Carriage.

8. Specifically, THY's Conditions of Carriage provide that "if a passenger does not use a reservation and fails to advise the Carrier, Carrier may cancel or request cancellation of any onward or future reservation". *See Ex. A, Section 7 (Reservations).*

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on 5 day of June 2017 in Queens, New York.

By: 

CENK OCAL